

REQUESTS

NOTE: The regulations are identified by bold and italics.

The section number located at the top right corner of the first page of each regulation refers to the California Code of Regulations, Title 22, Division 7, Chapter 10, Article 8.

**OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT
CALIFORNIA EMERGENCY DEPARTMENT AND
AMBULATORY SURGERY DATA REPORTING MANUAL, MEDICAL
INFORMATION REPORTING FOR CALIFORNIA, SECOND EDITION**

REQUEST FOR MODIFICATION TO PATIENT DATA REPORTING

Section 97240

(a) Reporting facilities may file a request with the Office for modifications to the Hospital Discharge Abstract Data, Emergency Care Data, or Ambulatory Surgery Data reporting requirements. The modification request must be supported by a detailed justification of the hardship that full reporting of data would have on the reporting facility; an explanation of attempts to meet data reporting requirements; and a description of any other factors that might justify a modification. Modifications may be approved for only one year. Each reporting facility with an approved modification must request a renewal of that approval 60 days prior to termination of the approval period in order to have the modification continue in force.

(b) The criteria to be considered and weighed by the Office in determining whether a modification to data reporting requirements may be granted are as follows:

(1) The modification would not impair the ability of either providers or consumers to make informed healthcare decisions.

(2) The modification would not deprive the public of data needed to make comparative choices with respect to scope or type of services or to how services are provided, and with respect to the manner of payment.

(3) The modification would not impair any of the goals of the Act.

(c) Reporting facilities that did not have any discharges or encounters that are required to be reported pursuant to Section 97213(a) for a specific report period must complete and submit a separate No Data to Report form (OSHDP 2005.1) as Revised on 09/26/2005 on or before the required due date of the report either by using the online screen available through the MIRCAl system or by printing the online No Data to Report form and mailing or faxing it to the Office for that report period.

(d) Any facility that is not licensed to provide inpatient care, or does not provide Emergency Care encounters, or does not provide outpatient procedures, or is not licensed as a surgical clinic, and from whom such reporting is not therefore expected, is not required to file a No Data to Report form.

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EXTENSIONS OF TIME TO FILE REPORTS

Section 97241

(a) Extensions are available to reporting facilities that are unable to complete their submission of reports by the due date prescribed in Section 97211.

(1) Requests for extension shall be filed on or before the required due date of the report by using the extension request screen available through the MIRCal system or by using the Patient Data Reporting Extension Request (form DD1805) as revised 06/09/2005. Notices regarding the use of extension days and new due dates, as well as notices of approval and rejection, will be e-mailed to the primary contact and Administrator e-mail addresses provided by the facility. If a Designated Agent e-mail contact address has been provided by the facility, this contact will also be notified. These notices will also be available to all facility MIRCal users on the MIRCal Submission Status page.

(2) The Office shall respond within 5 days of receipt of the request by either granting what is determined to be a reasonable extension or disapproving the request. The Office shall not grant extensions that exceed the maximum number of days for all extensions. If a reporting facility submits the data report prior to the due date of an extension, those days not used will be applied to the number of remaining extension days. A reporting facility that wishes to contest any decision of the Office shall have the right to appeal, pursuant to Section 97052.

DISCUSSION

Pursuant to Section 97045 and 97250, any facility that does not file a patient data report by the due date is liable for a penalty of \$100 a day for each day the data report is late. Reporting facilities, not the designated agents, are responsible for filing an extension request to OSHPD. See Penalties and Appeals (Appendix B) Section 97045.

A reporting facility must have extension days available in their balance of extension in order for their extension request to be granted, regardless of which extension request method is used. The number of extension days granted may be greater than or less than seven (7) if the remaining balance of extension days is not sufficient.

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The maximum allowance of extension days applies to the facility's entire quarterly data report. When facilities consolidate their licenses, they are then limited to the maximum of extension days per report, whether a combined (single) data report or multiple data reports are submitted.

When an extension request is filed after the due date and is granted, a \$100 per day penalty is assessed against the facility from the due date to the date the extension request was filed. When an extension request is denied, a \$100 per day penalty is assessed from the due date to the date the data report is filed.

When an extension request meets the criteria for granting extensions, the request will be granted and a letter will be sent to the facility. When an extension request is denied, written notification of the denial and an explanation of the basis for the denial will be sent to the facility by Certified Mail. A facility may appeal the denial, as it may appeal a penalty. An appeal does not stop the accrual of penalty liabilities. When notices of penalties are mailed by OSHPD, appeal instructions are included.

If an extension is not granted, penalties begin to accrue immediately upon the due date. If the due date has passed, facilities can still request an extension. The penalty is limited to the days between the due date and the date the extension is filed. An Extension Request (DD1805) is available for download from the MIRCAl website or in the Forms section of this Manual. Completed Extension Request forms can be mailed before the due date to OSHPD or faxed to the Activity Desk for consideration at (916) 322-9555.

If the due date falls on a Saturday, Sunday, or holiday, the facility may submit data the next business day without penalty. Extension days are calendar days, not working days. Requests for extension do not prevent or stop the accrual of penalties unless the extensions are granted by OSHPD.

If an extension is granted and the reporting facility submits the data report in fewer days than allowed, OSHPD will consider only the extension days actually used.

Designated Agents: Reporting facilities, not the designated agents, are responsible for filing an extension request to OSHPD. The reporting facility is liable for penalties, despite any responsibility of designated agents.

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(b) A maximum of 14 extension days will be allowed for all extensions and resubmittals of reports with discharges or encounters occurring on or after January 1, 2005.

(c) If a report is rejected on, or within 7 days before, or at any time after, any due date established by Subsections (c) or (d) of Section 97211, the Office shall grant, if available, an extension of 7 days. If less than 7 days are available all available extension days will be granted.

DISCUSSION

The above text in (e) refers to the seven-day **automatic extension process** option.

Rather than submitting a manual extension request (form DD1805), OSHPD recommends that reporting facilities utilize the automatic seven (7) day extension process in MIRCal as the preferred option for filing an extension of time whenever possible. The online extension process provides the reporting facility the convenience of an automatic seven (7) day extension that begins after the due date.

Automatic seven (7) day extensions are given to a facility when data are formally rejected on, or within seven (7) days before, or at any time after, the original due date. After the due date, reporting facilities will continue to receive seven (7) automatic extension days after each formally rejected data submission until they have exhausted all available extension days.

OSHPD recommends that reporting facilities utilize the TEST function when submitting data until they are within seven (7) days, or less, of the due date before making a determination to submit Formal. By doing so, reporting facilities can reduce the number of formal rejection e-mail notifications and letters that are received.

Auto extensions are not granted for Test submissions.

If the due date falls on a Saturday, Sunday, or holiday, the facility may submit data the next business day without penalty. Extension days are calendar days, not working days. Requests for extension do not prevent or stop the accrual of penalties unless the extensions are granted by OSHPD.

If an extension is granted and the reporting facility submits the data report in fewer days than allowed, OSHPD will consider only the extension days actually used.

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(d) If the Office determines that the MIRCal system was unavailable for data submission for one or more periods of 4 or more continuous supported hours during the 4 State working days before a due date established pursuant to Section 97211, the Office shall extend the due date by 7 days.